

MINUTES

REAL ESTATE APPRAISER LICENSURE AND CERTIFICATION BOARD

Thursday, May 8, 2008
8:30 a.m.

Indiana Government Center-South
402 West Washington Street Room W064
Indianapolis, Indiana 46204

Mr. Traynor called the meeting to order at 9:09 a.m. in Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum, in accordance with IC § 25-34.1-8-4.

Members Present:

Joe Traynor, Chairman
Wayne Johnson, Vice Chairman
Terry Watson, Appraiser Member
Lowell K. Griffin, Appraiser Member
John Newlin, Appraiser Member
Liz Stoll, Lender Member

Members Absent:

James Lewis, Consumer Member

State Officials Present:

Nicholas Rhoad, Director Indiana Real Estate Commission
Pat Price, Assistant Board Director, Indiana Professional Licensing Agency
Davis Moore, Litigation Specialist
Jim Schmidt, Deputy Attorney General

I. CHAIRMAN'S REPORT

Mr. Traynor discussed the importance of recruiting college students into the appraisal profession. He expressed his concern that college courses may not count towards the pre-licensing education requirements when many college courses would meet those criteria. Mr. Johnson and Mr. Rhoad volunteered to begin working with universities to help them have their college fit into the appropriate matrixes to qualifying education.

II. COMMENTS FROM JEREMY BRAUNSTEIN, DEPUTY ATTORNEY GENERAL

Mr. Braunstein informed the Board he is moving forward in his career and thanked the Board for the opportunity to work with them.

III. REPORT FROM THE INDIANA ATTORNEY GENERAL'S OFFICE

Ms. Beller provided a report from the Attorney General's office.

IV. OLD/NEW BUSINESS

A) Cuomo / Fannie Mae; Freddie Mac agreement

The Board discussed the Cuomo / Fannie Mae; Freddie Mac agreement and whether or not a response was warranted.

- B) Rules Update
Mr. Rhoad provided an update to the Board on LSA#s: 338; 774; and 881
- C) Advisory Opinion Update
The Board was informed that their request for advisory opinion from the Attorney General's Office has been assigned to a deputy attorney general. No other information was available from their office at this time.
- D) Trainee Exam Update
Pearson VUE has indicated they can provide a Trainee Exam to test at 90 hours of pre-licensing education for appraisers in Indiana by June 15, 2008.
- E) ARELLO Update
Mr. Rhoad provided an update concerning ARELLO and also the annual ARELLO event that will be taking place in Indianapolis.
- F) Reciprocal Agreements
Mr. Rhoad provided an update on the progress of entering into reciprocal agreements with other jurisdictions.
- G) Indiana License Law
The Board continued their conversation about repealing the need to complete Indiana license law as part of the continuing education requirements. The Board decided to move forward with the rule making process under the current proposed language.
- H) Appraisal Foundation Survey (pg. 26)
The Board discussed the Appraisal Foundation Survey. Mr. Griffin volunteered to respond.
- I) 2nd 2008 Exposure Draft of a Guide Note applying to the Real Property Appraiser Qualification Criteria
The Board discussed the Appraisal Foundation Survey. Mr. Griffin volunteered to respond.
- J) Renewals
A motion was made and seconded that renewals with positive responses and made the determination that Mr. Traynor would pre-screen those renewals and make the decision whether a licensee should be renewed or if they should make a personal appearance before the Board. The Board also made the decision that if an appraiser had their Indiana license disciplined then they did not need to re-appear before the Board.

Newlin / Watson
Motion Carried
6-0-0

- K) Appointment of Administrative Law Judges to hear petitions for removal from Probation
A motion was made and seconded to appoint board members on a rotating schedule to serve as an ALJ to hear petitions for removal from Probation.

Newlin / Watson
Motion Carried
6-0-0

L) The Board requested that additional funding be sought to monitor and review the work of licensees on probation.

Johnson / Griffin
Motion Carried
6-0-0

V. STATUS OF LICENSEES ON PROBATION

- A) Report from Staff regarding licensees on probation
Ms. Sims provided a report on the compliance of the licensees on probation

VI. DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER

A) State of Indiana v. Lisa F. Phillips

REAB 08-07
Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order

Stoll / Watson
Motion Carried
5-0-1

B) State of Indiana v. Arthur G. Fenn

REAB 08-09
Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order

Johnson / Stoll
Motion Carried
5-0-1

VII. CONTINUING EDUCATION CREDIT REQUEST

- A) Mr. John Lang (pg. 85)
B) Mr. Harold Hindman (pg. 90)
C) Mr. Jerry Ross (pg. 123)
D) Mr. David Curry (pg. 129)
E) Mr. George T. Spenos (pg. 132)
F) Mr. Kim Wood

A motion was made and seconded to approve the continuing education courses submitted only after having the courses reviewed by the ASC and pending their approval.

Griffin / Newlin
Motion Carried
6-0-0

VIII. REINSTATEMENT HEARINGS – 10:00 a.m.

A) State of Indiana v. Dennis Lee

REAB 06-92

Re: Petition for removal of Probation

A motion was made and seconded to grant the Petition for removal of Probation.

Johnson / Newlin

Motion Carried

6-0-0

IX. DEFAULT HEARINGS

A) State of Indiana v. Rhonda Hodson

REAB 08-03

Re: Possible Issuance of Default and Final Order

A motion was made and seconded to issue a Default Order

Motion Carried

Newlin / Stoll

6-0-0

A motion was made and seconded to Suspend the license of Rhonda Hodson

Griffin / Watson

Motion Carried

6-0-0

X. DISCIPLINARY HEARINGS (All hearings begin at 1:00)

A) State of Indiana v. Brent Mosconi

REAB 06-164

Re: Disciplinary Hearing

A motion was made and seconded to issue a Notice of Proposed Default

Newlin / Stoll

Motion Carried

5-0-0

B) State of Indiana v. Cynthia Mosconi

REAB 06-163

Re: Disciplinary Hearing

A motion was made and seconded to issue a Notice of Proposed Default

Griffin / Stoll

Motion Carried

5-0-0

C) State of Indiana v. George Baroudos*

REAB 08-18

Re: Disciplinary Hearing

No action was taken in this matter due to a pending settlement

D) State of Indiana v. Rebecca Roberts*

REAB 08-19

Re: Disciplinary Hearing

No action was taken in this matter due to a pending settlement

XII. REVIEW OF CONTINUING EDUCATION NON-COMPLIANCE

A. Glenn Joseph Howard

REAB 07-78

RE: Petition for reinstatement

A motion was made and seconded to approve the Petition for reinstatement

Newlin / Stoll

Motion Carried

6-0-0

XI. APPLICATION REVIEW

A motion was made and seconded to approve the applications as recommended below.

Watson / Griffin

Motion Carried

6-0-0

A) Certified Residential

A) Leesa Todd - a

B) Certified General

A) Jeffrey Scott Anderson - a

C) Temporary Permits

A) See attached sheets - a

D) Education Review

1) Appraisal Institute - a
a. How to Write a Tax Appeal Appraisal

2) Education Resource, LLC - a
a. CE 1030 Residential Lot Valuation 4.0 hours

C) National Association of Independent Fee Appraisers - a
Approval of instructors for previously approved courses

XII. Adjournment

A motion was made and seconded to adjourn the meeting at 1:52 p.m.

Joseph A. Traynor, Chairman

Date